

1 Thomas M. Kerr (State Bar No. 241530)
2 HOLME ROBERTS & OWEN LLP
3 560 Mission Street, 25th Floor
4 San Francisco, CA 94105-2994
5 Telephone: (415) 268-2000
6 Facsimile: (415) 268-1999
7 tom.kerr@hro.com

8
9
10 Attorneys for Plaintiffs
11 CAPITOL RECORDS, INC.; AND SONY
12 BMG MUSIC ENTERTAINMENT

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

E-FILED - 9/7/06

CAPITOL RECORDS, INC., a Delaware
corporation; and SONY BMG MUSIC
ENTERTAINMENT, a Delaware general
partnership,

Plaintiff,
v.

CHARLES ABADIE,
Defendant.

Case No.: C06-2049 RMW

Honorable Ronald Whyte

**STIPULATION TO VACATE CASE
MANAGEMENT CONFERENCE
AND ORDER**

1 Plaintiffs and Defendant, through their respective counsel, hereby stipulate to vacate
2 the Case Management Conference currently set for September 8, 2006, at 10:30 a.m. The parties
3 have come to a settlement in this action, and the settlement documents are now being finalized.
4 Plaintiffs and Defendant therefore request sixty days (60) to file the dispositional documents for this
5 settlement.

6

7

8 Dated: September 1, 2006

HOLME ROBERTS & OWEN LLP

9

10 By: /s/ Thomas M. Kerr
11 Thomas M. Kerr
12 Attorneys for Plaintiffs
13 CAPITOL RECORDS, INC.; AND SONY BMG
14 MUSIC ENTERTAINMENT

15 Dated: September 1, 2006

LAW OFFICES OF JAMES MCELROY

16

17 By:
18 Jayson Lorenzo
19 Attorneys for Defendant
20 CHARLES ABADIE

1 Plaintiffs and Defendant, through their respective counsel, hereby stipulate to vacate
2 the Case Management Conference currently set for September 8, 2006, at 10:30 a.m. The parties
3 have come to a settlement in this action, and the settlement documents are now being finalized.
4 Plaintiffs and Defendant therefore request sixty days (60) to file the dispositional documents for this
5 settlement.

6

7

8 Dated: September 1, 2006

HOLME ROBERTS & OWEN LLP

9

10 By: /s/ Thomas M. Kerr
11 Thomas M. Kerr
12 Attorneys for Plaintiffs
13 CAPITOL RECORDS, INC.; AND SONY BMG
14 MUSIC ENTERTAINMENT

15 Dated: September 1, 2006

LAW OFFICES OF JAMES MCELROY

16

17 By: 
18 Jayson Lorenzo
19 Attorneys for Defendant
CHARLES ABADIE

20 IT IS SO ORDERED.

21

22 A Case Management Conference has been set for November 17, 2006 @ 10:30 a.m.
23 If the settlement is final, counsel shall file a dismissal with the Court by November 14,
24 2006, and contact the Courtroom Deputy at (408) 535-5375, so to take this matter off
25 calendar. (rmw)

26 Date: 9/7/06

/s/ Ronald M. Whyte

27

28 U.S. DISTRICT JUDGE